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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration
Submitted
With Initial
Filing

OR

Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number

309-002

First Named Inventor

TILLEY, Michael J.

COMPLETE IF KNOWN

Application Number

Filing Date

12-02-2003

Art Unit

Examiner Name

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FASTENER STARTING TOOL

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

Application Number

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: <input type="text" value="33354"/> OR <input type="checkbox"/> Correspondence address below			
Name			
Address			
City		State	ZIP
Country	Telephone	Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Michael J.		Family Name or Surname TILLEY	
Inventor's Signature <i>Michael J. Tilley</i>			Date
Residence: City Phoenix	State AZ	Country US	Citizenship US
Mailing Address 16236 N. 41st Pl.			
City Phoenix	State AZ	ZIP 85032	Country US
NAME OF SECOND INVENTOR:		<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Douglas Linc		Family Name or Surname CLARK	
Inventor's Signature			Date
Residence: City Phoenix	State AZ	Country US	Citizenship US
Mailing Address 6024 W. Blue Sky Drive			
City Phoenix	State AZ	ZIP 85085	Country US
<input type="checkbox"/> Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			

Invention: Fastener Starting Tool
 Inventors: TILLEY and CLARK

EXHIBIT A**DECLARATION OF MICHAEL J. TILLEY**

1. I spoke with Douglas Linc Clark numerous times to discuss pursuing the Fastener Starting Tool invention. On or about September 8, 2003, I met with Mr. Clark and discussed patenting the invention.
2. On or about September 12, 2003, I met with Mr. Clark and gave him copy of the patent search report. He said he wanted to discuss it with his wife.
3. On or about September 26, 2003, I telephoned Mr. Clark to set up a meeting with our wives to discuss pursuing the invention, including patenting it and the costs involved.
4. On or about September 30, 2003, my wife and I met with Mr. and Mrs. Clark and discussed patenting the invention.
5. On or about October 10, 2003, I met with Mr. Clark who said he would help pay for the patent if he knew the costs.
6. On or about October 17, 2003, I met with Mr. Clark. I gave him a list of patent costs, as prepared by my patent attorney, Sandra Etherton. Mr. Clark then said he wouldn't pay for patent search, but instead asked for my proposal for buying his rights in the invention.
7. On or about October 22, 2003, I met with Mr. Clark and gave him a written proposal for buying his rights in the invention. The offer included a cash payment and the assumption of all costs of pursuing the invention. Mr. Clark said he wouldn't pay until he talked to a lawyer, but said he would sign the patent papers.
8. On or about October 30, 2003, I met with Mr. Clark. He changed his mind and said he would not sign any papers and would not pay until he talked to a lawyer.
9. On or about November 10, 2003 I requested that my patent attorney, Sandra L. Etherton, send a letter to Mr. Clark requesting his signature on the inventor's declaration.
10. Mr. Clark has not sent me a signed copy of the declaration nor responded to me otherwise.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Michael J. Tilley 12-2-03
 Michael J. Tilley Date
 Applicant for Patent for Fastener Starting Tool


Invention: Fastener Starting Tool
Inventors: TILLEY and CLARK

EXHIBIT B

DECLARATION OF SANDRA L. ETHERTON

1. On November 12, 2003 I mailed a copy of the application for the Fastener Starting Tool by certified mail #7002 3150 0004 1628 7677, return receipt requested, to Douglas Linc Clark at his known current address. The copy included an inventor's declaration and a cover letter explaining what he was being asked to sign. A copy of the application, cover letter, and postal receipt is attached.
2. Mr. Clark did not claim the certified mail item, and the item was returned to me on December 2, 2003, unopened. A copy of the shipment rejection from the U.S. Postal Service is enclosed.
3. Mr. Clark has not sent me a signed copy of the declaration nor responded to me otherwise.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Sandra L. Etherton
Attorney for Applicant
Registration No. 36,982

Etherton Law Group, LLC
P.O. Box 27843
Tempe, AZ 85285-7843
Tel: 480-966-3331
Fax: 480-966-3339

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NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Michael J.		Family Name or Surname TILLEY	
Inventor's Signature <i>Michael J. Tilley</i>			Date
Residence: City Phoenix	State AZ	Country US	Citizenship US
Mailing Address 16236 N. 41st Pl.			
City Phoenix	State Az	ZIP 85032	Country US
NAME OF SECOND INVENTOR:		<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Douglas Linc		Family Name or Surname CLARK	
Inventor's Signature			Date
Residence: City Phoenix	State Az	Country US	Citizenship US
Mailing Address 6024 W. Blue Sky Drive			
City Phoenix	State Az	ZIP 85085	Country US
<input type="checkbox"/> Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			